

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:06CV2**

**THEODORE R. ANDERSON,**

**Plaintiff,**

**Vs.**

**JEFFREY R. DOBSON; GERALD  
W. SODERQUIST; ROBERT W.  
MIDDLETON; and ARTHUR D.  
ACKERMAN,**

**Defendants and Third-Party  
Plaintiffs,**

**Vs.**

**HALEAKALA RESEARCH AND  
DEVELOPMENT, INC.,**

**Third-Party Defendant.**

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**ORDER**

**THIS MATTER** is before the Court *sua sponte* to continue the trial from the July 2007 term in the Asheville Division.

The Court has under advisement the Magistrate Judge's Memorandum and Recommendation and the parties' objections thereto regarding the pending motions for summary judgment and partial summary

judgment, the motion to dismiss, and motion to strike. The Court will not complete its review of the Memorandum and Recommendation, objections, and the parties' motions in time for them to adequately prepare for trial for the July 2007 term.

**IT IS, THEREFORE, ORDERED** that the Clerk calendar this case for trial during the Court's September 2007 term in the Asheville Division.

Signed: May 16, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

